

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID LEBRON,

AFFIDAVIT

Plaintiff,

07 CIV 1293 (KMK)(LMS)

-against-

ANTHONY J. FURCO, individually, GEORGE O. DARDEN,
individually, NORAMIE F. JASMIN, individually, PHILIP M.
ROSENTHAL, individually, BETTIE J. BROWN,
individually, JOSEPH A. DESMARET, individually, and the
VILLAGE OF SPRING VALLEY, New York,

Defendants.

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STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

DAVID L. POSNER, being duly sworn, deposes and says:

1. I am a member of the firm of McCabe & Mack LLP, attorneys for potential defendants, Edward Hughes, Oscar Lopez, Mark Civita, Raymond Nikisher and Peter Claussen. I submit this affidavit in opposition to plaintiff's motion for leave to amend
2. Annexed as Exhibit "A" is a true and accurate copy of excerpts from plaintiff's 50-h transcript from testimony on October 4, 2010.
3. Annexed as Exhibit "B" is a true and accurate copy of plaintiff's notice of claim.
4. Annexed as Exhibit "C" is a true and accurate copy of Mr. Young's affidavit in support of dismissal (10 CIV 2868).

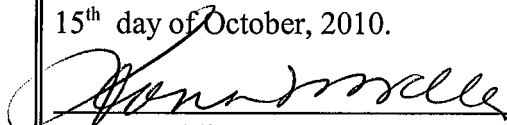
5. Annexed as Exhibit "D" is a true and accurate copy of the warrant for plaintiff's arrest.

6. Annexed as Exhibit "E" is a true and accurate copy of Mark Civita's testimony before the Grand Jury dated October 31, 2007.



DAVID L. POSNER (0310)

Sworn to before me this
15th day of October, 2010.



Notary Public

DONNA M. FELLER
Notary Public, State of New York
Qualified in Dutchess County
Registration No. 4954999
Commission Expires Aug. 28, 2013